

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

LEE BROWN,)
Plaintiff,)
v.) No. 04-0724-CV-W-DW
MISSOURI HIGHWAY TRANSPORTATION)
DEPARTMENT,)
Defendant.)

ORDER

The Defendant has not been served under Federal Rule of Civil Procedure 4. Plaintiff Brown has not attempted to show good cause for the failure of service. Therefore, this case is hereby DISMISSED WITHOUT PREJUDICE for failure of service.

SO ORDERED.

/s/ DEAN WHIPPLE
Dean Whipple
United States District Judge

Date: September 11, 2006